



Agenda Date: 3/18/15
Agenda Item: 7B

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

KARNI BAGHDIKIAN,)	ORDER ADOPTING
Petitioner)	INITIAL DECISION
)	
v.)	
)	
ORANGE & ROCKLAND UTILITIES, INC.,)	BPU DOCKET NO. EC14060553U
Respondent)	OAL DKT NO. PUC13396-14

Parties of Record:

Karni Baghdikian, appearing *pro se*
Kerri Kirschbaum, Esq., on behalf of respondent, Orange & Rockland Utilities, Inc.

BY THE BOARD:

On June 11, 2014, Karni Baghdikian ("Petitioner") filed a petition with the Board of Public Utilities ("Board") requesting a formal hearing related to a billing dispute with Orange & Rockland Utilities, Inc. ("Respondent") for utility services rendered by Respondent.

After the filing of Respondent's answer, the Board transmitted this matter to the Office of Administrative Law ("OAL") for hearing and initial disposition as a contested case pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. This matter was assigned to Administrative Law Judge ("ALJ") Kimberly A. Moss.

While this matter was pending at the OAL, the parties engaged in negotiations and reached a settlement. Prior to the scheduled evidentiary hearing date, on February 5, 2015, Petitioner submitted a letter to the OAL stating that the matter had been "resolved fully, to both parties' satisfaction" and requested ALJ Moss issue a "short decision." On February 9, 2015, ALJ Moss issued an Initial Decision finding that the matter was no longer a contested case and ordering that Petitioner's petition be dismissed.

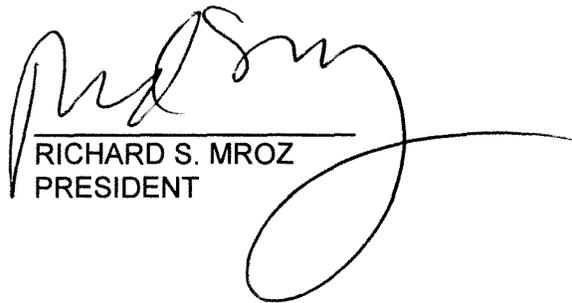
Pursuant to N.J.A.C. 1:1-19.2(a), "a party may withdraw a request for a hearing . . . by notifying the judge and all parties." After this notification is received, the ALJ "shall discontinue all proceedings" and "[i]f the judge deems it advisable . . . the judge may enter an initial decision memorializing the withdrawal and returning the matter to the transmitting agency for appropriate disposition." Ibid.

After review of the record in this matter, including Petitioner's letter indicating that a settlement had been reached to the satisfaction of all parties, the Board **HEREBY FINDS** Petitioner's petition was withdrawn. Accordingly, the Board **HEREBY ACCEPTS** the findings of fact and conclusions of law contained in the Initial Decision and **HEREBY DISMISSES** the Petition.

The effective date of this Order is March 27, 2015.

DATED: 3/18/15

BOARD OF PUBLIC UTILITIES
BY:



RICHARD S. MROZ
PRESIDENT



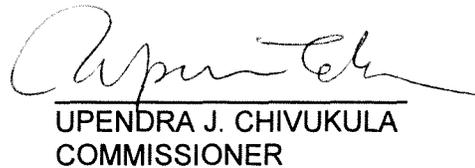
JOSEPH L. FIORDALISO
COMMISSIONER



MARY-ANNA HOLDEN
COMMISSIONER

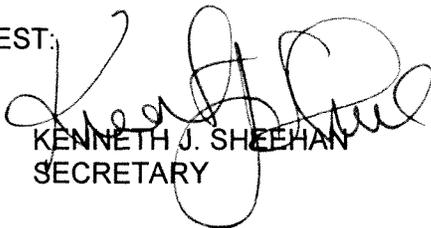


DIANNE SOLOMON
COMMISSIONER



UPENDRA J. CHIVUKULA
COMMISSIONER

ATTEST:



KENNETH J. SHEEHAN
SECRETARY

I HEREBY CERTIFY that the within document is a true copy of the original in the files of the Board of Public Utilities



KARNI BAGHDIKIAN

V.

ORANGE & ROCKLAND UTILITIES, INC.

BPU DOCKET NO. EC14060553U
OAL DOCKET NO. PUC13396-14

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State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

INITIAL DECISION

DISMISSAL

OAL DKT. NO. PUC 13396-14

AGENCY DKT. NO. EC14060553U

KARNI BAGHDIKIAN,

Petitioner,

v.

ORANGE & ROCKLAND UTILITIES, INC.,

Respondent.

Karni Baghdikian, pro se

Kerri Kirschbaum, Esq., for respondent (Orange & Rockland Utilities, Inc.)

Record Closed: February 5, 2015

Decided: February 9, 2015

BEFORE KIMBERLY A. MOSS, ALJ:

STATEMENT OF THE CASE AND PROCEDURAL HISTORY

Petitioner, Karni Baghdikian (petitioner) disputes his bill by respondent, Orange & Rockland Utilities (respondent). Petitioner's petition was filed with the Board of Public Utilities (Board) and the matter was transmitted to the Office of Administrative Law (OAL) and filed on October 17, 2014. A prehearing conference was scheduled for November 18, 2014. During the prehearing the parties agreed on a hearing date. The

hearing was scheduled for March 23, 2015. Prior to the hearing respondent's counsel contacted OAL to advise that the parties reached a tentative settlement. Shortly thereafter petitioner submitted a letter stating that this matter is fully resolved, to both parties' satisfaction, therefore, a hearing on the matter is no longer needed. Said letter is attached hereto for reference.

For the above reasons, I **CONCLUDE** that this matter is no longer a contested case before the OAL.

ORDER

It is **ORDERED** that petitioner's application for relief be **DISMISSED** and I **DIRECT** the Clerk to return the matter to the Board of Public Utilities for appropriate disposition.

I hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration.

This recommended decision may be adopted, modified or rejected by the **BOARD OF PUBLIC UTILITIES**, which by law is authorized to make a final decision in this matter. If the Board of Public Utilities does not adopt, modify or reject this decision within forty-five days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

Within thirteen days from the date on which this recommended decision was mailed to the parties, any party may file written exceptions with the **SECRETARY OF THE BOARD OF PUBLIC UTILITIES, 44 South Clinton Avenue, P.O. Box 350, Trenton, NJ 08625-0350**, marked "Attention: Exceptions." A copy of any exceptions must be sent to the judge and to the other parties.

February 9, 2015



DATE

KIMBERLY A. MOSS, ALJ

Date Received at Agency:

February 9, 2015

Date Mailed to Parties:

ljb

5 February 2015

VIA FACSIMILE ONLY (973-648-6124)

The Honorable Kimberly Moss
New Jersey Office of Administrative Law
33 Washington Street
Newark, New Jersey 07102

RE: Petitioner's Request to Withdraw OAL DKT. NO. PUC 13396-14 / AGENCY DKT. NO. EC14060553U

To The Honorable Kimberly Moss,

I am the Petitioner in the above-entitled matter pending before the Office of Administrative Law. Please be advised that I have reached a settlement agreement with Respondent, Orange & Rockland Utilities, Inc., and this matter has resolved fully, to both parties' satisfaction. Therefore, a hearing on the matter is no longer needed.

As a final step, I respectfully request a short decision, so I have a record of formal dismissal for this case.

Thank you for your time and attention to this matter. Please do not hesitate to contact me with any questions you might have at 201-993-8282.

Respectfully Submitted,



Karni Baghdikian, Petitioner
P.O. Box 280
Upper Saddle River, NJ 07458
(201) 993-8282

cc (via email only): Kerri Kirschbaum
Senior Attorney
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Handwritten initials or mark in the bottom right corner.